



93/ 3731  
JFW

Doc. No. 321858 WEMHH/SB/21 (6/04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB number.

<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/054,270
	Filing Date	January 22, 2002
	First Named Inventor	Edward P. Perez
	Art Unit	3731
	Examiner Name	Daniel J. Davis
Total Number of Pages in This Submission	Attorney Docket Number	7404-318

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input checked="" type="checkbox"/> Drawings (2 pgs.) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) <input type="text"/>	<input type="checkbox"/> After Allowance communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Return Receipt Postcard Submission of Formal Drawings and Supplemental Application Data Sheet Supplemental Application Data Sheet
Remarks <input type="text"/>		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or individual name	Charles P. Schmal Woodard, Emhardt, Moriarty, McNett & Henry LLP
Signature	
Date	January 18, 2005

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below			
Typed or printed name	Charles P. Schmal		
Signature		Date	January 18, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



007404-000318.CPS.clk.315498

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re patent application of:	)	
	)	Before the Examiner
Edward P. Perez	)	
	)	Daniel J. Davis
Application No. 10/054,270	)	
	)	Group Art Unit 3731
Filed January 22, 2002	)	
	)	January 18, 2005
<b>LANCET DEVICE HAVING</b>	)	
<b>CAPILLARY ACTION</b>	)	

**SUBMISSION OF FORMAL DRAWINGS AND  
SUPPLEMENTAL APPLICATION DATA SHEET**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicant respectfully requests that the enclosed Amendments to the Drawings and Supplemental Application Data Sheet be entered for the above-identified application. The Commissioner is authorized to charge any additional fees or credit any overcharges to Deposit Account No. 23-3030, but not to include any payment of issue fees.

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on January 18, 2005.

Charles P. Schmal

Name

Signature

January 18, 2005

Date of Signature

### **Amendments to the Drawings**

The attached sheet of drawings includes changes to FIG. 1A. This sheet, which includes FIG. 1A, replaces the original sheet including FIG. 1A. In FIG. 1A, the section line “A-A” has been changed to “I-I” in order to obviate the objection in the Notice of Draftsperson’s Patent Drawing Review. No new matter has been added.

Attachment: Replacement Sheet

Annotated Sheet

### Remarks

In view of the following remarks, entry of this requested amendment is respectfully requested.

This amendment was filed in response to the May 2, 2003 Notice of Draftsperson's Review, which was enclosed with the November 3, 2004 Notice of Allowance. It should be noted that this same proposed drawing amendment was submitted with the September 2, 2003 Response to the Office Action and appears in PAIR. Nonetheless, proposed drawing amendments are again submitted with this amendment. In FIG. 1A, the section line "A-A" has been changed to "I-I" in order to obviate the objection in the Notice of Draftsperson's Patent Drawing Review. These drawing amendments are editorial in nature and do not add new matter to the application. A Supplemental Application Data Sheet was submitted along with this amendment in order to update one of the inventor's addresses.

If after reviewing this amendment the Examiner feels that any issues remain which must be resolved before the application can be passed to issue, the Examiner is invited to contact the applicants' undersigned representative by telephone to resolve such issues.

Respectfully Submitted,

By 

Charles P. Schmal, Reg. No. 45,082  
Woodard, Emhardt, Moriarty, McNett &  
Henry LLP  
Bank One Center/Tower  
111 Monument Circle, Suite 3700  
Indianapolis, Indiana 46204-5137  
(317) 634-3456